

ORDINANCE NO. 023-106

AN ORDINANCE AUTHORIZING AN
INTERGOVERNMENTAL AGREEMENT
WITH THE CITY OF CHICAGO FOR
THE ACQUISITION OF VARIOUS
PARCELS OF PROPERTY FOR THE
RED LINE EXTENSION PROJECT

WHEREAS, The Chicago Transit Authority ("Authority") is undertaking a project to build stations and extend rail infrastructure on the Red Line, also known as the Red Line Extension Project (the "Project"); and

WHEREAS, The Project will extend the Red Line from the existing terminal at 95th/Dan Ryan to 130th Street and include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street, with multimodal connections at each station including bus, bike, pedestrian, and park & ride facilities; and

WHEREAS, The Project will reduce commute times for residents, improve mobility and accessibility, and foster economic development, where stations may serve as catalysts for neighborhood revitalization; and

WHEREAS, The Transit Board previously designated properties for acquisition for the Project ("Designated Parcels"), per Ordinance No. 022-118; and

WHEREAS, Some of the Designated Parcels are owned by the City of Chicago ("City Parcels"); and

WHEREAS, The City of Chicago and the Authority wish to enter into an intergovernmental agreement (IGA), attached as Exhibit A hereto, to establish the terms and conditions for the transfer of the City Parcels to the Authority; and

WHEREAS, The IGA requires the Authority to pay the City One Dollar (\$1.00) per parcel, pay closing costs and any back taxes owed, indemnify the City from environmental claims, and release the City from all claims, including environmental claims; and

WHEREAS, The IGA also requires the Authority to perform environmental site assessments of the City Parcels, perform any additional studies and tests for pedestrian use areas requested by the City, and complete any remediation work, if necessary; and

WHEREAS, The IGA contains a form deed for the transfer of fee parcels, attached as Exhibit A-1 to the IGA, and a form easement agreement for permanent easements, attached as Exhibit C-1 to the IGA, which require the Authority to release the City from all claims and indemnify the City from environmental claims, as well as a form

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agreement for temporary easements, attached as Exhibit B-1 to the IGA, which requires the Authority to release the City from all claims and indemnify the City from environmental claims and claims related to use of the relevant parcel by the Authority and its agents; and

WHEREAS, The Metropolitan Transit Authority Act ("MTA Act"), 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate, and maintain a public service transportation system in the area; and

WHEREAS, The MTA Act, 70 ILCS 3605/8, provides that the Authority has the power to acquire any property useful for its purposes; and

WHEREAS, Cooperation between and among governmental agencies and entities through intergovernmental agreements is authorized by the Intergovernmental Cooperation Act (5 ILCS 22/1 et seq.); now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chairman of the Chicago Transit Board, or his designee, is hereby authorized to enter into an intergovernmental agreement with the City of Chicago which requires the City to transfer the City Parcels to the Authority; requires the Authority to pay the City One Dollar (\$1.00) per parcel, pay closing costs and any back taxes owed, perform environmental site assessments on the City Parcels, perform other studies and tests requested by the City if a parcel will contain a pedestrian use area, complete any remediation work, if necessary, indemnify the City from environmental claims, and release the City from all claims, including environmental claims; and contains such other terms as are substantially in conformance with the Intergovernmental Agreement Between the Chicago Transit Authority and the City of Chicago Concerning the Chicago Transit Authority's Red Line Extension attached as Exhibit A hereto.

SECTION 2. The Chairman, or his designee, is further authorized to enter into quit claim deeds and permanent easement agreements for the City Parcels which require the Authority to release the City from all claims and indemnify the City from environmental claims, and contain such other terms as are substantially in conformance with the Quit Claim Deed attached as Exhibit A-1 to the IGA and the Easement Agreement attached as Exhibit C-1 to the IGA, and temporary easement agreements which require the Authority to release the City from all claims and indemnify the City from environmental claims and claims related to use of the relevant parcel by the Authority and its agents and

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contain such other terms as the Temporary Easement attached as Exhibit B-1 to the IGA.

SECTION 3. The Chairman of the Board, or his designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

September 22, 2023

Secretary

September 22, 2023